IN THE

Supreme Court of the United States

OCTOBER TERM, 1972

No. 71-1193

UNITED STATES OF AMERICA, *Petitioner*

v.

TRAVIS PAUL ENMONS, JACKIE J. BENDO, ED WAYNE BARTON AND MILTON RAY WOODWARD, *Respondents*

MOTION OF AMERICAN NEWSPAPER PUBLISHERS ASSOCIATION FOR LEAVE TO FILE BRIEF AMICUS CURIAE

Comes now the American Newspaper Publishers Association, by its counsel, and moves this honorable Court for leave to file a brief *Amicus Curiae* in support of the petitioner, the United States of America, on the following grounds:

1. The American Newspaper Publishers Association is a non-profit corporation organized and existing under the laws of the State of New York. Its member newspapers comprise more than ninety percent of the daily and Sunday circulation of newspapers within the United States.

2. On May 16, 1972, this Court noted Probable Jurisdiction of this case. Counsel for the American Newspaper Publishers Association has secured the consent of the United States for the ANPA participation as an *Amicus* in this case. However, counsel for the respondents has indicated that consent cannot be granted on behalf of their clients. The government has already filed its brief in the action and the brief for the respondents is due on or before September 20, 1972. The proferred ANPA *Amicus* brief will not interfere with this briefing schedule in that the ANPA does not intend to directly comment upon the brief for the respondents.

3. Instead, the membership of the ANPA is vitally interested with the issue presented in this case as to the applicability of the Hobbs Act to extortionate demands made by union members where the ends of those demands are legitimate. It is common knowledge that newspapers in the past have been plagued with violence directly associated with the collective bargaining process. It is the purpose of the ANPA to bring this to the attention of the Court and urge upon the Court that the application of the Hobbs Act will be an effective remedy to prevent or curtail strike and other labor violence involving the newspaper publishing business. Moreover, the ANPA desires to present and analyze the state laws on this subject and discuss in its brief the ineffectiveness of these state remedies to such sit-

uations. The ANPA is hopeful that its brief will be of assistance to the Court in resolving the issues presented by this appeal.

Respectfully submitted,

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